

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
2605 Summerson and Copperfield Roads
2605 Summerson Road
3rd Election District
2nd Councilmanic District
Daniel Gutkin, et ux
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-424-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 1802.3.B and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback for an open deck on a corner lot of 16 ft., in lieu of the minimum required 18.75 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of June 1992 that the Petition for a Zoning Variance from Section 1802.3.B and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback for an open deck on a corner lot of 16 ft., in lieu of the minimum required 18.75 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1386

June 3, 1992

Mr. and Mrs. Daniel C. Gutkin
2605 Summerson Road
Baltimore, Maryland 21209

RE: Petition for Residential Zoning Variance
Case No. 92-424-A

Dear Mr. and Mrs. Gutkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.B (211.3), 301.1 To allow a side yard setback for an open deck on a corner lot of 16 ft. in lieu of the minimum required 18.75 ft.

of the Zoning Regulations of Baltimore County for the following reasons: (indicate whether a practical difficulty)

Practical difficulty - cannot build deck on rear of house due to low hanging wires; east side of house is too close to neighboring house & has no set

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Affirming for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Phone

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Phone

Your petition has been received and accepted for filing this
1st day of May, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Daniel Choda Gutkin, et ux

Petitioner's Attorney:

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: May 13, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - 5/11/92

The Office of Planning and Zoning has no comments on the following petitions:

Jerald & Brenda Windes - Item 453
Daniel & Susan Gutkin - Item 454
Donald & Anne Kahn - Item 455
Ronald W. Bair - Item 457
William & Mary Jane Kramer - Item 459
Douglas & Judith Celmar - Item 460

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

5.11.92.txt
Petitions.txt

RECEIVED
ZONING OFFICE

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *Robert J. Family*

05/18/92

Date 5/18/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership		450	N/C	5-11-92
DED DEPRM RP STP TE	Orville Jones	451	N/C	
DED DEPRM RP STP TE	Harbor Realty Partnership	452	N/C	
DED DEPRM RP STP TE	Jerald H. And Brenda D. Windes	453	N/C	
DED DEPRM RP STP TE	Daniel C. And Susan E. Gutkin	454	N/C	
DED DEPRM RP STP TE	Donald And Anne Kahn	455	N/C	
DED DEPRM RP STP TE	Signet Bank, Maryland	456	N/C	
DED DEPRM RP STP TE	Ronald W. Bair	457	N/C	
DED DEPRM RP STP TE	A. Eric And Esther J. Dott	458	N/C	
DED DEPRM RP STP TE	William J. And Mary Jane Kramer	459	N/C	
DED DEPRM RP STP TE	Douglas B. And Judith A. Celmar	460	N/C	

COUNT 11



MAY 13, 1992

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: DANIEL CHODA GUTKIN AND SUSAN EDWARDS GUTKIN

Location: #2605 SUMMERSON ROAD

Item No.: *454 (JJS) Zoning Agenda: MAY 11, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. J. J.* Noted and
Planning Group Approved
Special Inspection Division Fire Prevention Bureau

RECEIVED
MAY 14 1992
ZONING OFFICE

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *Dennis A. Kennedy*

05/18/92

Date 5/18/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership		450	NC	5-11-92
DED DEPRM RP STP TE	Orville Jones	451	NC	
DED DEPRM RP STP TE	Harbor Realty Partnership	452	NC	
DED DEPRM RP STP TE	Jerald H. And Brenda D. Windes	453	NC	
DED DEPRM RP STP TE	Daniel C. And Susan E. Gutkin	454	NC	
DED DEPRM RP STP TE	Donald And Anne Kahn	455	NC	
DED DEPRM RP STP TE	Signet Bank, Maryland	456	NC	
DED DEPRM RP STP TE	Ronald W. Bair	457	NC	
DED DEPRM RP STP TE	A. Eric And Esther J. Dott	458	NC	
DED DEPRM RP STP TE	William J. And Mary Jane Kramer	459	NC	
DED DEPRM RP STP TE	Douglas B. And Judith A. Celmar	460	NC	

COUNT 11

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature *John J. J.*

Date 5/18/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership		450	No Comment	5-11-92
DED DEPRM RP STP TE	Orville Jones	451	No Comment	
DED DEPRM RP STP TE	Harbor Realty Partnership	452	No Comment	
DED DEPRM RP STP TE	Jerald H. And Brenda D. Windes	453	No Comment	
DED DEPRM RP STP TE	Daniel C. And Susan E. Gutkin	454	No Comment	
DED DEPRM RP STP TE	Donald And Anne Kahn	455	No Comment	
DED DEPRM RP STP TE	Signet Bank, Maryland	456	No Comment	
DED DEPRM RP STP TE	Ronald W. Bair	457	No Comment	
DED DEPRM RP STP TE	A. Eric And Esther J. Dott	458	No Comment	
DED DEPRM RP STP TE	William J. And Mary Jane Kramer	459	No Comment	
DED DEPRM RP STP TE	Douglas B. And Judith A. Celmar	460	No Comment	

COUNT 11

111 West Chesapeake Avenue
Towson, MD 21204

May 7, 1992

(410) 887-3353

COPY

Daniel and Susan Gutkin
2605 Summer Road
Baltimore, Maryland 21209

Re: CASE NUMBER: 92-424-A

LOCATION: 2605 Summer Road and Copperfield Road
3rd Election District - 2nd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a referee regarding the administrative process.

1) Your property will be posted on or before May 17, 1992. The closing date is June 1, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

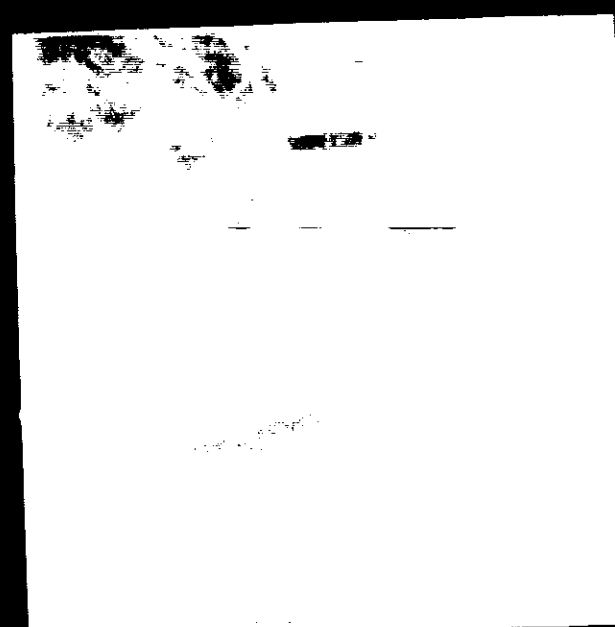
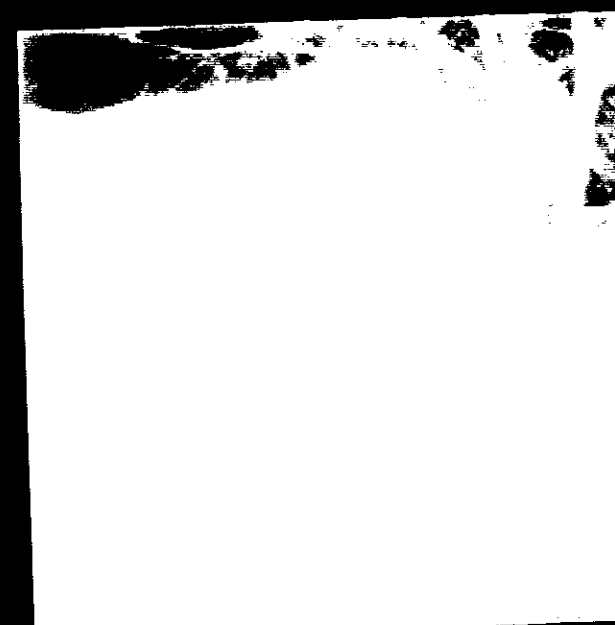
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

454



MON-14-98 THU-18-98 HIGGS ENGINEERING

454

Owners: Daniel & Susan Gutkin
Petition for a Zoning Variance
Elect. Dist. 3rd
Co. Dist. 2nd
Zoning: DR-5.5
Lot Size: 9,174 sq. ft.
Public Water & Sewer
No Prior Heapings
Scale: 1 in = 30 ft.
Aerial scale map = NW 1/4 D.
SLIM

Stimmer

Hand-drawn site plan for Lot 1 Block "D". The plan shows a rectangular lot measuring 25.8' by 73.0'. A brick split-level house is located in the center, measuring 20.0' by 28.0'. To the left of the house is a garage measuring 11' by 25'. A concrete patio is located in front of the house, measuring 11.5' by 25.8'. A driveway leads from the garage to the house. The lot is bordered by Highway 116 to the north and Copperfield Road to the east. To the south of the lot is Lot 24, and to the east is Lot 2. The plan also shows a "Petition No." and a "Blot. stored for 2000".

92-424-A

THIS IS TO CERTIFY THAT THE PROPERTY SHOWN
HEREON IS NOT IN A FLOOD PLAIN.

IS TO CERTIFY That The Improvements Indicated
on Are Located As Shown. This Is Not A Property
Survey And Should Not Be Used As Such.

WKS ENGINEERING COMPANY, INC.

ENGINEERS • SURVEYORS • PLANNERS

EAST JOPPA ROAD - SUITE 402

ON, MARYLAND 21204

10-10-68

LOCATION CERTIFICATION

* 2005 SUMMERSON ROAD, LOT 1, BLD 1
"FLAT 2, APPROX. PART OF SECT. 1, RANG. 2
RANGE 4, TOWNSHIP 4, RANGE 2, RANG. 2
DATE: 6/1/00 AREA: 1.00 AC. 1/4 SEC. 16

DATE: 5/13/00 0001 0013 0014 0015 0016 0017 0018 0019 0020 0021 0022 0023 0024 0025 0026 0027 0028 0029 0030 0031 0032 0033 0034 0035 0036 0037 0038 0039 0040 0041 0042 0043 0044 0045 0046 0047 0048 0049 0050 0051 0052 0053 0054 0055 0056 0057 0058 0059 0060 0061 0062 0063 0064 0065 0066 0067 0068 0069 0070 0071 0072 0073 0074 0075 0076 0077 0078 0079 0080 0081 0082 0083 0084 0085 0086 0087 0088 0089 0090 0091 0092 0093 0094 0095 0096 0097 0098 0099 0100 0101 0102 0103 0104 0105 0106 0107 0108 0109 0110 0111 0112 0113 0114 0115 0116 0117 0118 0119 0120 0121 0122 0123 0124 0125 0126 0127 0128 0129 0130 0131 0132 0133 0134 0135 0136 0137 0138 0139 0140 0141 0142 0143 0144 0145 0146 0147 0148 0149 0150 0151 0152 0153 0154 0155 0156 0157 0158 0159 0160 0161 0162 0163 0164 0165 0166 0167 0168 0169 0170 0171 0172 0173 0174 0175 0176 0177 0178 0179 0180 0181 0182 0183 0184 0185 0186 0187 0188 0189 0190 0191 0192 0193 0194 0195 0196 0197 0198 0199 0200 0201 0202 0203 0204 0205 0206 0207 0208 0209 0210 0211 0212 0213 0214 0215 0216 0217 0218 0219 0220 0221 0222 0223 0224 0225 0226 0227 0228 0229 0230 0231 0232 0233 0234 0235 0236 0237 0238 0239 0240 0241 0242 0243 0244 0245 0246 0247 0248 0249 0250 0251 0252 0253 0254 0255 0256 0257 0258 0259 0260 0261 0262 0263 0264 0265 0266 0267 0268 0269 0270 0271 0272 0273 0274 0275 0276 0277 0278 0279 0280 0281 0282 0283 0284 0285 0286 0287 0288 0289 0290 0291 0292 0293 0294 0295 0296 0297 0298 0299 0300 0301 0302 0303 0304 0305 0306 0307 0308 0309 0310 0311 0312 0313 0314 0315 0316 0317 0318 0319 0320 0321 0322 0323 0324 0325 0326 0327 0328 0329 0330 0331 0332 0333 0334 0335 0336 0337 0338 0339 0340 0341 0342 0343 0344 0345 0346 0347 0348 0349 0350 0351 0352 0353 0354 0355 0356 0357 0358 0359 0360 0361 0362 0363 0364 0365 0366 0367 0368 0369 0370 0371 0372 0373 0374 0375 0376 0377 0378 0379 0380 0381 0382 0383 0384 0385 0386 0387 0388 0389 0390 0391 0392 0393 0394 0395 0396 0397 0398 0399 0400 0401 0402 0403 0404 0405 0406 0407 0408 0409 0410 0411 0412 0413 0414 0415 0416 0417 0418 0419 0420 0421 0422 0423 0424 0425 0426 0427 0428 0429 0430 0431 0432 0433 0434 0435 0436 0437 0438 0439 0440 0441 0442 0443 0444 0445 0446 0447 0448 0449 0450 0451 0452 0453 0454 0455 0456 0457 0458 0459 0460 0461 0462 0463 0464 0465 0466 0467 0468 0469 0470 0471 0472 0473 0474 0475 0476 0477 0478 0479 0480 0481 0482 0483 0484 0485 0486 0487 0488 0489 0490 0491 0492 0493 0494 0495 0496 0497 0498 0499 0500 0501 0502 0503 0504 0505 0506 0507 0508 0509 0510 0511 0512 0513 0514 0515 0516 0517 0518 0519 0520 0521 0522 0523 0524 0525 0526 0527 0528 0529 0530 0531 0532 0533 0534 0535 0536 0537 0538 0539 0540 0541 0542 0543 0544 0545 0546 0547 0548 0549 0550 0551 0552 0553 0554 0555 0556 0557 0558 0559 0560 0561 0562 0563 0564 0565 0566 0567 0568 0569 0570 0571 0572 0573 0574 0575 0576 0577 0578 0579 0580 0581 0582 0583 0584 0585 0586 0587 0588 0589 0590 0591 0592 0593 0594 0595 0596 0597 0598 0599 0600 0601 0602 0603 0604 0605 0606 0607 0608 0609 0610 0611 0612 0613 0614 0615 0616 0617 0618 0619 0620 0621 0622 0623 0624 0625 0626 0627 0628 0629 0630 0631 0632 0633 0634 0635 0636 0637 0638 0639 0640 0641 0642 0643 0644 0645 0646 0647 0648 0649 0650 0651 0652 0653 0654 0655 0656 0657 0658 0659 0660 0661 0662 0663 0664 0665 0666 0667 0668 0669 0670 0671 0672 0673 0674 0675 0676 0677 0678 0679 0680 0681 0682 0683 0684 0685 0686 0687 0688 0689 0690 0691 0692 0693 0694 0695 0696 0697 0698 0699 0700 0701 0702 0703 0704 0705 0706 0707 0708 0709 0710 0711 0712 0713 0714 0715 0716 0717 0718 0719 0720 0721 0722 0723 0724 0725 0726 0727 0728 0729 0730 0731 0732 0733 0734 0735 0736 0737 0738 0739 0740 0741 0742 0743 0744 0745 0746 0747 0748 0749 0750 0751 0752 0753 0754 0755 0756 0757 0758 0759 0760 0761 0762 0763 0764 0765 0766 0767 0768 0769 0770 0771 0772 0773 0774 0775 0776 0777 0778 0779 0780 0781 0782 0783 0784 0785 0786 0787 0788 0789 0790 0791 0792 0793 0794 0795 0796 0797 0798 0799 0800 0801 0802 0803 0804 0805 0806 0807 0808 0809 0810 0811 0812 0813 0814 0815 0816 0817 0818 0819 0820 0821 0822 0823 0824 0825 0826 0827 0828

COUNTY G AND ZONING ING MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPH
JANUARY
1986

LOCATION
PIKESVILLE
AREA

SHEET

N. W.

B-D

92-424-A

454

RE COUNTY PLANNING AND ZONING GRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
PIKESVILLE
AREA

SHEET

N. W.

B-D

92-424-A